Docket No.
LEVL107

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
TAPE MEASURE THAT INCORPORATES A WHEELED MARKING DEVICE FOR APPLYING A MARKING INDICIA

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International

Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)   Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	☐
(Number)	(Country)	(Day/Month/Year Filed)	☐
(Number)	(Country)	(Day/Month/Year Filed)	☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/342,146	12/18/2001
(Application Serial No.)	(Filing Date)

60/360,698	2/28/2002
(Application Serial No.)	(Filing Date)

(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

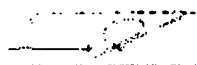| 10/195,924	7/15/2002	PENDING
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
10/195,945	7/15/2002	PENDING
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
10/197,050	7/15/2002	PENDING
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

STEPHEN M. NIPPER	46,260
FRANK J. DYKAS	28,072
ROBERT L. SHAVER	42,145
DEREK H. MAUGHAN	52,007

Send Correspondence to: STEPHEN M. NIPPER
DYKAS, SHAVER & NIPPER
P.O. BOX 877
BOISE, IDAHO 83701

Direct Telephone Calls to: *(name and telephone number)*
STEPHEN M. NIPPER (208) 345-1122

Full name of sole or first inventor
DANE SCARBOROUGH

Sole or first inventor's signature   Date 1-2-99

Residence P.O. BOX 3351 HAILEY ID 83333

Citizenship
U.S.

Post Office Address
P.O. BOX 3351

HAILEY, IDAHO 83333

Full name of second inventor, if any

Second inventor's signature   Date

Residence

Citizenship

Post Office Address

Form PTO-SB-01 (8-95) (Modified)   Patent and Trademark Office-U.S. DEPARTMENT OF